

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 7141

BILL NUMBER: HB 1409

NOTE PREPARED: Jan 13, 2004

BILL AMENDED:

SUBJECT: Courthouse Security.

FIRST AUTHOR: Rep. Alderman

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: **GENERAL**
 DEDICATED
 FEDERAL

IMPACT: Local

Summary of Legislation: This bill has the following provisions:

- A. It provides for the: (1) collection of a courthouse security fee; and (2) establishment of a courthouse security fund; by local ordinance.
- B. It provides that the county sheriff shall administer the fund and expend amounts in conformance with the courthouse security minimum standards adopted by the Indiana Judicial Center.

Effective Date: July 1, 2004; July 1, 2005.

Explanation of State Expenditures:

Explanation of State Revenues:

Explanation of Local Expenditures:

Explanation of Local Revenues: If a county fiscal body adopts an ordinance establishing both a Courthouse Security Fee of between \$3 and \$9 and a Courthouse Security Fund, the court clerk may collect the fee for the provision or enhancement of security in all types of courts. The fee may be collected for small claims actions, infractions and violations of municipal corporation ordinances, criminal cases, and civil actions. The fiscal impact of this fee and fund is based on the actions taken by county fiscal bodies.

For example, assuming that statewide county fiscal bodies adopt the necessary ordinances and that a \$3 fee is collected for each eligible case or action, then there would be an additional \$4.3 M in court fee revenue.

Based on the filings and disposition information from CY 2001 and CY 2002, the following table shows the estimated distribution of a \$3 fee by court.

Fee Source	Trial Courts	City and Town Courts	Marion County Small Claims Courts	Total
Felonies and Misdemeanors	\$235,820	\$105,431		\$341,250
Infractions	1,419,183	611,399		2,030,582
Ordinance Violations	193,635	63,536		257,171
Civil and Probate	659,312	50,447		709,758
Juvenile	90,143			90,143
Small Claims	<u>671,418</u>		<u>\$199,711</u>	<u>871,129</u>
Total	\$3,269,510	\$830,811	\$199,711	\$4,300,031

The county sheriff shall administer the fund and expend amounts in conformance with the courthouse security minimum standards adopted by the Indiana Judicial Center.

State Agencies Affected:

Local Agencies Affected: Counties.

Information Sources:

Fiscal Analyst: Mark Goodpaster, 317-232-9852.